IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 4870/2007

AMIR MOHD.
Vs.
CIVIL JUDGE (J.D) & JUDICIAL MAGISTRATE, KISHANGARH, DISTRICT AJMER & ANR.

DATE: 23.07.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Vinodi Lal Mathur for the petitioner.

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The respondent No.2 Om Prakash filed a suit under Order 7 Rule 1 CPC against the petitioner in the Court of Civil Judge (Jr. Division) & Judicial Magistrate, Kishangarh for ejectment of shop and outstanding rent. The petitioner moved an application under Order 7 Rule 11(D) CPC for dismissal of the suit being barred by law. The application so filed by the petitioner has been rejected by the Court below vide its impugned order dated 29.05.2007.

I have heard learned counsel for the petitioner and carefully gone through the order impugned dated 29.05.2007 whereby the Court below has considered each and every aspect and has rejected the application dated 05.05.2004, so failed by the

petitioner under Order 7 Rule 11(D) CPC with cost of Rs. 500/-.

I am not convinced with the submissions made on behalf of the petitioner that the impugned order dated 29.05.2007 passed by the Court below is per se illegal and the same has been passed absolutely in accordance with the provisions of law, which requires no interference by this Court.

Consequently, the writ petition fails and the same is hereby dismissed.

(K.S. RATHORE),J.

/KKC/